



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

January 12, 2021

The Honorable Pender Makin
Commissioner
Maine Department of Education
23 State House Station
Augusta, ME 04333-0023

Dear Commissioner Makin:

I am writing in response to the Maine State Department of Education's (MDOE's) request on November 18, 2020, for a waiver to permit MDOE to field test new general and alternate assessments in science in grades 5, 8 and 11 in school year (SY) 2020-2021.

MDOE requested a one-year waiver of certain Elementary and Secondary Education Act of 1965 (ESEA) requirements to support a census field test of the general and alternate assessments in spring 2020 for all eligible students enrolled in grades 5, 8 and 11. MDOE will not report assessment field test results to parents, educators or the public. However, MDOE will hold districts and schools accountable for participation in the field test.

After reviewing MDOE's request, I find that the waiver for the MDOE science alternate assessment will benefit school children in Maine, so I am approving MDOE's request for the 2020-2021 school year and waiving the following statutory requirements of the ESEA:

- Sections 1111(b)(1)(A) and (C) and (E) and 1111(b)(2)(B)(ii) and (v)(II), which require the State to establish student academic achievement standards and alternate academic achievement standards in science and implement high-quality, yearly student academic assessments in science that are aligned with those standards to measure student achievement and to inform instruction.
- Sections 1111(b)(2)(B)(x) and (xii) and 1111(h)(1)(C)(ii) and (2)(C), which require the State and local educational agencies to provide individual student reports to parents, teachers and principals and to include the results of science assessments on State and local report cards.

Please note that this waiver is applicable for the 2020-2021 school year during the administration of the statewide field test of the alternate science assessments only. *A waiver for the administration of the statewide field test of the general science assessments is still under review pending MDOE providing some additional information about the State's plans for the general science assessment field test.*

In addition, in recent conversations with you and your staff, you let us know that MDOE is in process of awarding a new contract for its reading/language arts and mathematics assessments. I would also like to remind you that failure to administer to all students in the State general and alternate assessments in reading/language arts and mathematics in grades 3-8 and high school and report the results would result in MDOE being out of compliance with Title I of the ESEA and the Individuals with Disabilities Education Act.

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<http://www.ed.gov/>

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

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We appreciate our continued relationship with MDOE and remain committed to working with you. If you have any questions, please contact my staff at: ESEA.Assessment@ed.gov.

Thank you for your continued commitment to ensuring that all students have access to a high-quality education.

Sincerely,

/s/

Frank T. Brogan
Assistant Secretary
for Elementary and Secondary Education

cc: Janette Kirk, Chief of Learning Systems